

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RAMOT HILLS LLC

Plaintiff,

v.

HOMY CASA LIMITED,

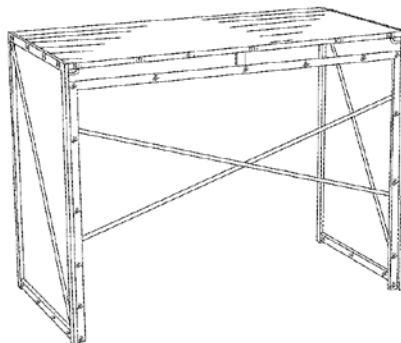
Defendant.

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) Civil Action No.: 1:20-cv-03154
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) Judge: Rebecca R. Pallmeyer
) Magistrate Judge: Beth W. Jantz
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**MOTION OF RAMOT HILLS FOR PERMISSION TO SERVE COMPLAINT
ELECTRONICALLY AND FOR TEMPORARY INJUNCTION**

NOW COMES Plaintiff, Ramot Hills LLC (Ramot Hills"), by and through its attorneys, Aronberg Goldgehn Davis & Garmisa, and in support of the Motion of Ramot Hills for Permission to Serve Complaint Electronically and for Temporary Injunction, hereby states as follows:

The patent at issue, D845,679, is a design patent directed to the ornamental design of a desk having the following appearance:



Defendant, and alleged patent owner, Homy Casa Limited (“Homy Casa”) sells a desk under that patent with the following appearance:



However, prior to the effective filing date of the patent, a desk having the following appearance was offered for sale, sold, and otherwise available to the public:



Thus, it is highly likely that Plaintiff will succeed on the merits in establishing that the patent at issue is invalid under 35 U.S.C §102.

Perhaps more importantly though, it is highly likely that **Defendant** will be unable to meet the exacting standard necessary to obtain a preliminary injunction to bar sales of Plaintiff's product during the pendency of this suit. However, Defendant has granted itself such an injunction by interfering with Plaintiff's business relationship with Amazon.com and preventing Plaintiff from selling its products through Amazon. Accordingly Plaintiff comes before this court requesting an injunction to prevent the Defendant from continuing its *de facto* injunction through its interference with Plaintiff's business relationships. Specifically, Ramot requests an order—temporarily and until Homy Casa succeeds on its own motion for an injunction before this Court or until this litigation is otherwise resolved—precluding Homy Casa (including anyone acting in concert with it) from directly or indirectly asserting the '679 patent against Ramot in any way outside of the present litigation and instructing Homy Casa to remove its Amazon take-down notice respecting its assertion of the '679 patent

Additionally, Defendant is allegedly a foreign company based either in Hong Kong or mainland China. It has clouded its true location and contact information by using multiple addresses for formal business and only proceeding through other foreign intermediaries. Consequently, Defendant has taken advantage of the economic opportunities and benefits offered by doing business in the United States while evading the legal procedures and requirements that companies here must submit to.

Ramot is attempting service through the Hague Convention. Pursuant to Federal Rule of Civil Procedure 4(h)(2) and 4(f), Defendant also requests that this Court grant it permission to serve the complaint by email to the only known contact—and, per the Amazon take-down notice, “rights owner's contact details”—Utz Osterhoff at info@bochumpatent.de.

WHEREFORE, Ramot asks that this Court to grant Ramot permission to serve its complaint electronically and grant Ramot's request for a temporary injunction consistent with this motion and accompanying memorandum.

Respectfully submitted,

RAMOT HILLS LLC

/s/ Matthew De Preter

Matthew De Preter

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Attorneys for Plaintiff,
RAMOT HILLS LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 23, 2020 a true and correct copy of the foregoing was filed electronically with the Clerk of the Court through the Court's CM/ECF System, and emailed to the only known contact of Homy Casa Limited—and, per the Amazon take-down notice, “rights owner’s contact details”—Utz Osterhoff at info@bochumpatent.de.

/s/ Matthew De Preter

One of the Attorneys for Ramot Hills LLC